

Argument Under Rule 66.3

Claims 1-22 are novel and define an inventive step over Tavor et al. for the following reasons:

Tavor et al. is not relevant to the subject matter of Claims 1-22 because Tavor et al. doesn't mention ideas for patentable inventions, transfers of property rights under patent rights to inventions, contractual obligations to transfer property rights to inventions, or providing contingent contractual rights to a portion of anticipated income derived from said property rights.

Further examination is requested based upon the following documents, which are believed to be relevant, although some of these documents were not published prior to the earliest priority date of the present application:

Harshaw	US Application Publication No. 2001/0010041 A1
Sakata	US Application Publication No. 2001/0010050 A1
Magid	US Application Publication No. 2001/0032144 A1
Powell	US Application Publication No. 2001/0032189 A1
Cronin	US Application Publication No. 2001/0034629 A1
Kossovsky et al.	US Application Publication No. 2002/0002523 A1
Prokoski	US Application Publication No. 2002/0046038 A1
Harrell et al.	US Application Publication No. 2002/0016727 A1
Waters	US Application Publication No. 2002/0032659 A1
Gakidis et al.	US Application Publication No. 2002/0095305 A1
Gabrick et al.	International Publication WO01/35277 A1
Choi et al	International Publication WO01/39056 A1

Copies of the US references can be downloaded from the USPTO database. Gabrick et al. was cited in the International Search Report. The cover sheet of Choi et al is enclosed.

Harshaw discloses a plurality of pools 10, 20, 30 with distinct subject matter. Each pool 10, 20, 30 is a repository for new product ideas. Individual/small business registrants 16, 26, 36 having a new product idea may register the idea with the appropriate pool through an accessible wide area computer network. The selected idea from the pools 10, 20, 30 is licensed 80 to a manufacturer. Royalties are divided among the registrants in relation to their respective contributions of licensed ideas. The selected product 50 will be introduced into a marketplace. See figures 1 and 2 and paragraphs 19, 23 and 24.

Sakata discloses a document publication system 100 communicating information with the clients 50-1 ~ 50-n via a public network 10 (e.g. the Internet). The data reception section 140 receives document data concerning ideas that are supplied from the clients 50-1 ~ 50-n via the public network 10. The data publication system 110 has functions for publishing the document data received by the data reception section by use of the public network 10. See figure 1 and paragraphs 52-57.

Magid discloses a web-based technology management that allows direct negotiations between a viewer and a presenter (step 3-8). A seller and a purchaser optionally enter into a contract (licensing agreement, an assignment of rights) relative to an intellectual property.

Cronin discloses using combined ideas suggested by others in a group as a source of inspiration to come up with other ideas.

Kossovsky et al. discloses an on-line patent and license exchange. See figure 3 and paragraphs 56, 57 and 62-68.

Prokoski discloses a business entity (a) obtaining rights to at least one intellectual property (IP) asset; (b) determining a market value for the IP asset; (c) configuring an investment trust which holds the IP asset; (d) selling stock in the investment trust; (e) managing the IP including promoting it, licensing it and offering it for sale; and (f) distributing profits and losses to the shareholders. An on-line auction and resale site 430 also is disclosed. See figures 1 and 3 and paragraphs 15 and 85.

Waters discloses a system and method for obtaining and developing technology for market, including an "idea intake via web interface" receiving ideas from submitters. The system initially screens the ideas and translates them into searchable formats. The system automatically distributes idea information to experts via a web interface. Submission of ideas is encouraged by offering originators a percentage of the revenue generated from the eventual sale or licensing of technology embodying the ideas. Revenue is shared with the system proprietor. The system also licenses eligible patents online. See figures 1A and 1B and paragraphs 15, 16 and 29-31.

Powell discloses an originator 400 and user-driven 300 online commercial network system designed to facilitate idea submission, purchase and licensing. The originators of ideas are allowed to communicate non-disclosing synopses of ideas globally to potential users for the users to conveniently search for relevant ideas. See figures 1a, 1b, 2 and 3 and paragraphs 13, 42-45, 71, 76 and 77.

Harrell et al. discloses a network 12 having innovator interfaces 10, an innovation marketplace server 16, third-party vendors 13 and developer interfaces 14. The innovator interfaces 10 comprise any individuals or companies that have an idea for an innovation in a particular field of endeavor. The developers access the developer interface 14 for developing and marketing third-party innovations. The innovation marketplace server 16 has sufficient resources to support access by a plurality of developers and innovators. See figures 1-4 and paragraphs 18-20, 22, 23, 38, 39, 42, 44, 45 and 55.

Gakidis et al. discloses the concept of idea shares. See paragraphs 50 and 90-94


Gabrick et al. discloses a file (innovation) management server (system) for transferring a file from a user PC/client (agent monitoring system) to a network data, ruler, classes logs, and file servers. Licensing and marketing of the innovations are also disclosed. See figures 2, 3, 4a-4d and 20 and pages 28, 29, lines 1-3 and pages 30 and 34.

Choi et al. discloses trading of cyber stocks in ideas.

It is submitted that Claims 1-22 are novel and define an inventive step over Tavor and the documents cited herein because, *inter alia*, Tavor and the cited documents neither describe nor suggest providing contingent contractual rights to a portion of anticipated income derived from property rights under patent rights to prospectively patentable inventions derived at least in part from ideas accumulated in a computer database for accumulating ideas for prospectively patentable inventions; wherein said contingent rights are provided in exchange for transfers of said property rights or in exchange for contractual obligations to transfer said property rights.

Respectfully submitted,

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Date October 1, 2002


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